REMARKS

[0003]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-2, 6, 8-13, and 15-32 are presently pending. Claims amended herein are: 1, 12, 19 and 21. Claims withdrawn or cancelled herein are: 3-5, 7 and 14. New claims added herein are: 29-32.

Statement of Substance of Interview

[0004]   The Examiner graciously talked with me—the undersigned representative for the Applicant—on January 22, 2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005]   During the interview, I discussed how the claims differed from the cited art, namely Gershony. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0006]   I understood the Examiner to agree that independent claim 1 would be patentable over the cited art if amended as discussed during the interview.

[0007]   Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

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Formal Request for an Interview

[0008]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009]   Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments and Additions

[0010]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 12, 19 and 21 herein.

[0011]   Furthermore, Applicant adds new claims 29-32 herein, which are directed towards naming conventions for the graphics modes (see original claims 3-4) and the internal construct comprising a visual tree (see original claim 7). These new claims are fully supported by Application and therefore do not constitute new matter.

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Substantive Matters

Claim Rejections under §112 2nd ¶

[0012]   Claims 1, 12-13, 19, 21 and 23 have been rejected under 35 U.S.C. §112, 2nd ¶. As agreed to during the Examiner interview, support is found for a "dummy" or "mock" window handle on pages 9-11 of the Application.

Claim Rejections under §§ 102

[0013]   Claims 1-2, 6, 8-13, and 15-28 have been rejected under 35 U.S.C. §102. In light of the amendments presented herein and the agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0014]   The Examiner's rejections are based upon the following reference:

- **Gershony:** *Gershony, et al.,* US Patent No. 6,549,218 (issued April 15, 2003).

Overview of the Application

[0015]   The Application describes a technology for providing interoperability between two different graphics technologies. An embodiment of the present application includes windows of two types; a legacy type and a new type. A graphics system includes components that support each of the two types. Interoperability is achieved by creating legacy structures associated with any windows of the new type. (*Application*, Abstract)

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Cited References

[0016] The Examiner cites Gershony as the primary reference in the anticipation based rejections.

Gershony

[0017] Gershony describes a technology where output from an application or other program running in a windowing environment is redirected from the application to a bit map where it can be further manipulated prior to being displayed on the screen. (*Gershony*, Abstract)

Anticipation Rejections

[0018] Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.[1] Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.[2]

Based upon Gershony

[0019] The Examiner rejects claims 1-2, 6, 8-13, and 15-28 under 35 U.S.C. § 102(e) as being anticipated by Gershony. Applicant respectfully traverses the rejections of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0020] Applicant submits that Gershony does not anticipate this claim because it does not show or disclose the following elements as recited in this claim. Independent claim 1 has been amended to recite in part a system, embedded at least in part on a tangible computer readable medium for enabling

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[1] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

[2] See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

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interoperability between two graphics technologies, comprising (with emphasis added):

- "an interoperability component configured to cause a dummy window handle to be created for an instance of a window of the second type and to use the dummy window handle if called to perform a graphics related action on the instance of the window of the second type, **wherein a null device context is associated with the dummy window handle to facilitate a lookup of the second type of window, wherein any drawing done to the null device context is lost**"

[0021]   For example, Gershony fails to disclose or describe "a null device context is associated with the dummy window handle to facilitate a lookup of the second type of window, wherein any drawing done to the null device context is lost".

[0022]   The Examiner indicates (Action, p. 3-4) the following with regard to this claim:

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5. Claims 1-2,6,8-13 and 15-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Gershony et al. (US 6,549,218), herein referred to as "Gershony".

As claim 1, Gershony teaches a system, embedded at least in part on tangible computer readable medium for enabling interoperability between two graphics technologies (col. 2, lines 44-55), comprising: a first graphics system that comprises an immediate mode graphics technology; a second graphics system that comprises a compositional mode graphics technology (figure 3; col.7, lines 33-59); a first graphics system configured to render window content in a first mode (fig. 3, label 350; col. 8, lines 13-15) the first graphics system being further configured to reference a first type of window using a window handle associated with an instance of the first type of window (fig. 3, label 340; col. 7, lines 60-64); a second graphics system configured to render windows in a second mode (fig. 3, label 380; col. 8, lines 24-26), the second graphics system being further configured to reference a second type of window without a need of using any window (fig. 3, label 340; col. 7, lines 60-64, that if the window is redirected it will not utilize the same window handle as depicted for the first window, to ensure the window is redirected); and an interoperability component configured to cause a dummy window handle to be created for an instance of a window of the second type (fig. 3, label 320; col. 6, lines 61-65; col. 7, lines 33-41 ; col. 6, lines 14-15; col. 8, lines 52-58, that using "MICROSOFT WINDOWS" to create window "CrealeWindowEX 0", using known "Microsoft Component Object Model (COM) to call functions "Microsoft Windows GetDCoO" with a NULL window handle as a parameters and

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[0023]   Instead, Gershony describes where output from an application or other program running in a windowing environment is redirected from the application to a bit map where it can be further manipulated prior to being displayed on the screen (*Gershony*, Abstract). A device context is associated with the window by the window manager (*Gershony*, column 7, lines 61-62). If the style bit is not set, processing will continue as it has in legacy systems at 350, with the application painting the window to the device context (*Gershony*, column 8, lines 13-14). If the style bit is detected as being set at 340, then the window is redirected following painting to the device context at 380 (*Gershony*, column 8, lines 24-26). Furthermore, Gershony indicates painting to a device context for regular OR redirected graphics (see Gershony, Figure 3, items 350 and 380).

[0024]   In this Action, the Examiner equates the null device context described in the Application with the device context described in Gershony. Applicant respectfully disagrees, because in the Application, using the second graphics system, there is no painting the window to the device context. As specified in this claim, "a null device context is associated with the dummy window handle to facilitate a *lookup* of the second type of window". Furthermore, "any drawing done to the null device context is lost".

[0025]   Consequently, Gershony does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

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Independent Claim 12

[0026]   Applicant submits that Gershony does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (with emphasis added):

- "a mock window handle associated with the second window, the mock window handle indicating that the second window is compatible with the second graphics system, **wherein a null device context is associated with the mock window handle to facilitate a lookup of the second window, wherein any drawing done to the null device context is lost**"

[0027]   For example, Gershony fails to disclose or describe "a null device context is associated with the mock window handle to facilitate a lookup of the second window, wherein any drawing done to the null device context is lost".

[0028]   As discussed above in regard to claim 1, Gershony indicates painting to a device context for regular OR redirected graphics (see Gershony, Figure 3, items 350 and 380).

[0029]   In this Action, the Examiner equates the null device context described in the Application with the device context described in Gershony. Applicant respectfully disagrees, because in the Application, using the second graphics system, there is no painting the window to the device context. As specified in this claim, "a null device context is associated with the mock window

handle to facilitate a *lookup* of the second window". Furthermore, "any drawing done to the null device context is lost".

[0030]   Consequently, Gershony does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claim 21

[0031] Applicant submits that Gershony does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (with emphasis added):

- "associating the dummy window handle with the new visual by **returning a null device context to facilitate a lookup of the new window, wherein any drawing done to the null device context is lost**"

[0032] For example, Gershony fails to disclose or describe "returning a null device context to facilitate a *lookup* of the new window, wherein any drawing done to the null device context is lost".

[0033] As discussed above in regard to claim 1, Gershony indicates painting to a device context for regular OR redirected graphics (see Gershony, Figure 3, items 350 and 380).

[0034] In this Action, the Examiner equates the null device context described in the Application with the device context described in Gershony. Applicant respectfully disagrees, because in the Application, using the second graphics system, there is no painting the window to the device context. Instead, this claim specifies "returning a null device context to facilitate a *lookup* of the new window, wherein any drawing done to the null device context is lost".

[0035]   Consequently, Gershony does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

New Dependent Claims 29-32

[0036]   These new claims do not constitute new matter. Furthermore, these claims are patentable over the cited art at least for the differences recited between the cited art and the claims from which they depend.

Dependent Claims

[0037] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0038] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 1-24-2008

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